IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIFTH DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION NO : 7474, 9179 and 10903 of 1995

WRIT PETITION No: 7474 of 1995

Between:

M.Jagannath, S/o Anjaiah, Assistant Engineer I/C(H)
A.P.State Housing Corporation Ltd., Gonegandla Kurnool District.

... PETITIONER

AND

1 The Managing Director, A.P.State Housing Corporation Ltd.,
3-6-160, Street No. 17, Himayatnagar, Hyderabad.
2 The District Collector & Executive Director, A.P.State Housing Corporation

Ltd., Kurnool.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, order or direction, more particularly one in the nature of Writ of Mandamus, declaring the Circular instructions in No.A1/185/1995 dated. 17.1.1995 issued by the 1st respondent are not applicable to the petitioner and direct the respondents to promote the petitioner as Assistant Engineer on regular basis with all other consequential benefits attached to the post from the date of in-charge arrangements

Counsel for the Petitioner: MR.A.VEERASWAMY

Counsel for the Respondents: MR.V.CH.NAIDU SC FOR APSHC

WRIT PETITION NO : 9179 of 1995

Between:

1 Mohd.Jabbar Ahmed, S/o Mohd. Abbas,
R/o H.no.5-12-136, Nalgonda Dist.
2 N.Rama Narsimha Reddy, S/o Rama Chandra Reddy,
R/o Mothkur, Nalgonda Dist.

... PETITIONERS

AND

1 Govt. of A.P., Rep by its Secretary Social Welfare,
Secretariat, Hyderabad.
2 The Managing Director., APHC Corporation, Hyderabad.
3 Collector/Executive Director, Nalgonda.

...RESPONDENTS

Petition under Article 1226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ, Order or Direction, more particularly one in the nature of Writ of Mandamus, and declare that the Circular No.A4/1495/94, dated. 4-5-94 and Circular Instructions in No.A1/185/95, dt.17-1-95 issued by the 2nd respondent are not applicable to the petitioner and declare the petitioner as regular Assistant Engineer with all consequential benefits attached to the post and pass such further or other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.C.NAGESWARA RAO

Counsel for the Respondents 1 & 3: GP FOR SOCIAL WELFARE

Counsel for the Respondent No.2:MR.V.CH. NAIDU SC FOR APSHC

WRIT PETITION NO : 10903 of 1995

Between:

1 Mohd. Jabbar Ahmed, S/o. Mohd. Abbas, Asst.Engineer of the A.P.State

Housing Corporation Ltd., R/o.H.No. 5-12-136, Nalgonda,
2 D.Narasiah, Working as asst.Engineer of the A.P.State
Housing Corporation Ltd., Peddavora, Nalgonda District.
3 N.Rama narasimha Reddy, S/o.Rama Chandra Reddy,
Asst.Engineer of A.P.State Housing Corporation Ltd., Mothkur,
Nalgonda District.

... PETITIONERS

AND

1 The Andhra Pradesh State Housing Corpoartion Ltd., Rep by its Managing

Director, Hyderabad.
2 The District Collector/Executive Director of A.P.State Housing Corporation

Ltd. Nalgonda District.

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue an appropriate Writ, Order or Direction, more particularly one in the nature of Writ of mandamus declaring the Proceedings Roc. No. B1/163/95, dated. 27.5.95, of the 2nd respondent backed by the instructions of the 1st respondent/Corporation as

illegal, arbitrary, violative of the principles of natural justice and as such void

Counsel for the Petitioners: MR.M.V.S.PRASAD

Counsel for the Respondent No.1: MR.V.CH.NAIDU SC FOR APSHC

Counsel for the Respondent No.2: GP FOR SOCIAL WELFARE

The Court made the following order:

COMMON ORDER:

These writ petitions are filed by the petitioners aggrieved by the action of the respondents in proposing to withdraw the in-charge arrangement under which they were asked to work as in-charge Assistant Engineers. The petitioners sought for a direction to the respondents to regularize their services in the cadre of Assistant Engineer. But the stand of the respondents is that there are many seniors who are eligible for promotion, apart from lack of vacancies in the cadre of Assistant Engineer.

At the time of hearing, it is represented that the Government issued G.O.Rt.No.114 dated 19.04.1999, under which the respondent-corporation was directed to continue these in-charge Assistant Engineers in the same status drawing their own scales of pay till their turn come up for consideration of their promotion as Assistant Engineers.

As it is stated that an order was passed by the respondent-Corporation in terms of the said G.O., the subject matter in these writ petitions has become infructuous.

In view of the said G.O., no further orders are necessary. Hence, these writ petitions are dismissed as infructuous. No costs.

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V. ESWARAIAH, J

November 5, 2004

Dsk

To

1. The Secretary to Govt. of A.P., Social Welfare Department, Secretariat, Hyderabad.
2. The Managing Director, A.P.State Housing Corporation Limited, Hyderabad.
3. The District Collector/Executive Director, A.P.State Housing Corporation Limited, Kurnool.
4. The District Collector/Executive Director, A.P.State Housing Corporation Limited, Nalgonda
5. Two CCs to GP For Social Welfare, High Court Buildings, Hyderabad (OUT).
6. Two CD Copies.